

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARTIN J. WALSH,	:	CIVIL ACTION
	:	NO. 22-2025
Plaintiff,	:	
	:	
v.	:	
	:	
MNAP MEDICAL SOLUTIONS, INC.,	:	
401(K) P/S PLAN	:	
	:	
Defendant.	:	

O R D E R

AND NOW, this **5th** day of **January, 2023**, upon consideration of Plaintiff's Motion for Default Judgment (ECF No. 9) and a hearing on the record, it is hereby **ORDERED** that the Motion for Default Judgment (ECF No. 9) is **GRANTED**. It is **FURTHER ORDERED** that:

1. Judgment be entered in favor of the Secretary against said Defendant for violations of ERISA §§ 402(a)(1) and 403(a), 29 U.S.C. § 1102(a)(1).

2. The Court appoints AMI Benefit Plan Administrators, Inc. ("AMI") of 100 Terra Bella Drive, Youngstown, Ohio 44505 (Phone: (800) 451-2865) as the Independent Fiduciary to the Plan who:

a. Will be responsible for collecting, marshaling, paying out and administering all of the Plan's assets and taking further action with respect

to the Plan as appropriate, including terminating the Plan when all of its assets are distributed to all eligible participants and beneficiaries;

- b. Must exercise reasonable care and diligence to identify and locate each Plan participant and beneficiary who is eligible to receive a distribution under the terms of the Plan;
- c. Shall have all the rights, duties, discretion and responsibilities of a trustee, fiduciary, and Plan Administrator under ERISA, including filing a final Form 5500;
- d. Shall be authorized to delegate or assign fiduciary duties as appropriate and allowed under the law and may retain such assistance as it may require, including attorneys, accountants, actuaries, and other service providers;
- e. Shall be authorized to receive up to \$2,435 in reasonable fees and expenses, which may be paid from the Plan's assets;
- f. Shall be authorized to have full access to all data, information, and calculations in the

Plan's possession and under its control,
including information and records maintained by
the Plan's custodial trustee or service
provider;

g. Shall have the authority to give instructions
respecting the disposition of assets of the
Plan; and

h. Shall comply with all applicable rules and
laws.

3. The Court retains jurisdiction of this action for
purposes of enforcing compliance with the terms of this Default
Judgment.

4. The Court directs the entry of this Default
Judgment as a final order; and

5. The Clerk is directed to administratively **CLOSE**
this case.

AND IT IS SO ORDERED.

Eduardo C. Robreno
EDUARDO C. ROBRENO, J.